IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRI.REVISION APPLICATION NO. 127 OF 2004

M/s. Newton Auto Industries Pvt.Ltd. ..Petitioner

V/s.

Mr. Ramesh Bhanuskar & Anr. ..Respondents

Shri Ganesh Gole for the Petitioner.
Shri Anilkumar C. Shah for Respondent No.1.
Shri A.S. Gadkari, APP for Respondent No.2 State.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 10, 2004

PC :-

. Heard learned counsel for the parties.

2. Rule. Rule made returnable forthwith. Shri Shah waives service for Respondent No.1. Shri Gadkari, APP waives notice for Respondent No.2. As short question is involved, the petition is taken up for final disposal forthwith, by consent.

3. Respondent No.1 instituted a criminal action against the Petitioner for offence under section 138 of the Negotiable Instruments Act read with section 420 of I.P.C. What is relevant for our purpose is that during the pendency of this petition, the parties have amicably settled all the pending disputes and the

Petitioner has paid the agreed amount to Respondent No.1. The terms of the settlement are reduced into writing, which are duly signed by the parties as well as their Advocates, are taken on record, as tendered accross the bar. In view of this development, in the interest of justice, it is agreed between the parties that this court may quash the criminal action which was originally instituted by the Respondent No.1 against the Petitioner. The request seems to be reasonable. Accordingly, this petition is allowed and the criminal action which was instituted against the petitioner is quashed, as agreed between the parties.

4. Respondent No.1 will be entitled to withdraw the sum of Rs. 1,80,000/- which has been deposited by the Petitioner in the lower court at Pen, Dist. Raigad.

5. The bail bonds executed by the petitioner will stand cancelled.

6. The Petition is disposed of in the above terms.

7. All the concerned to act on an authenticated copy of this order.

8. Ordered accordingly.

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